

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	4:22-CR-0142-01-DGK
v.	)	
	)	
CHARLES M. WITTER,	)	
	)	
Defendant.	)	

**ORDER ADOPTING REPORT AND RECOMMENDATION CONCERNING  
DEFENDANT'S COMPETENCY**

On December 1, 2022, the Court ordered Defendant to undergo a competency evaluation. Defendant was examined at the Federal Detention Center in Englewood, Colorado by Jeremiah Dwyer, Ph.D., Forensic Psychologist, and Levi Cragun, M.S., Pre-Doctoral Psychology Intern. They filed a forensic evaluation (ECF No. 24) on February 27, 2023, opining Defendant is competent to proceed.

On March 23, 2023, Magistrate Judge Lajuana M. Counts held a competency hearing and issued a report and recommendation finding Defendant is competent to proceed. Neither party objected to the report and recommendation.

After making an independent review of the record, it is

ORDERED that the Report and Recommendation of Magistrate Judge Lajuana M. Counts is adopted in its entirety, and this court finds Defendant is competent. It is further

ORDERED that, pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and (h)(4), the time between December 1, 2022, and the date of this order is excluded in computing the time within which the trial of this criminal action must commence.

**IT IS SO ORDERED.**

Date: April 17, 2023

/s/ Greg Kays  
GREG KAYS, JUDGE

UNITED STATES DISTRICT COURT